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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**
14

15 UNITED STATES OF AMERICA,
16
17 Plaintiff,
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19 v.
20 JASON THEUS CUNNINGHAM,
21
22 Defendant.

Case No. 2:09-cr-00360-JCM-RJJ

**Stipulation to Dismiss the
Revocation Petition and Vacate
the Status Hearing**

23 IT IS HEREBY STIPULATED AND AGREED, by and between
24 Jason M. Frierson, United States Attorney, and Jessica Oliva, Assistant United
25 States Attorney, counsel for the United States of America, and Rene L. Valladares,
26 Federal Public Defender, and Joy Chen, Assistant Federal Public Defender,
counsel for Jason Theus Cunningham, to dismiss the revocation petition and
vacate the status hearing scheduled for August 7, 2024 at 10:00 a.m.

This Stipulation is entered into for the following reasons:

1. On February 8, 2024, the defendant appeared before this Court and
admitted to allegations 1 and 2 in the Petition at ECF No. 66. The Court accepted
the admissions. Pursuant to the parties' agreement, the Court held sentencing in
abeyance for 6 months to allow the defendant to come into compliance with the

1 terms of his supervised release. The parties agreed that if the defendant is
2 successful, they would move to dismiss the petition.

3 2. As of the filing of this stipulation, the undersigned have confirmed
4 with the defendant's probation officer that the defendant has come into compliance
5 with his supervision and has sustained no additional violations of his supervised
6 release. The Defendant state that since the parties last appeared before this Court,
7 the defendant obtained employment in Elko, Nevada, and has been living and
8 working successfully in Elko for the last several months.

9 3. The parties therefore respectfully request that the Petition at ECF
10 No. 66 be dismissed without prejudice and that Mr. Cunningham be continued on
11 his current term of supervision. Mr. Cunningham's supervision is set to expire at
12 the end of this month.

13 4. The parties also respectfully request that the status hearing set for
14 Wednesday, August 7 at 10 AM be vacated.

15 DATED this 6th day of August 2024.

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17 RENE L. VALLADARES
18 Federal Public Defender

JASON M. FRIERSON
United States Attorney

19 /s/ Joy Chen
20 By _____
21 JOY CHEN
22 Assistant Federal Public Defender

/s/ Jessica Oliva
By _____
Jessica Oliva
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON THEUS CUNNINGHAM,

Defendant.

Case No. 2:09-cr-00360-JCM-RJJ

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

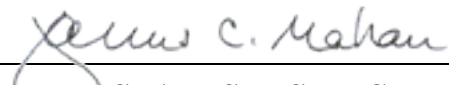
1. Mr. Cunningham has come into compliance with his supervision and has sustained no additional violations of his supervised release.

ORDER

IT IS HEREBY ORDERED that Mr. Cunningham's request that the Petition at ECF No. 66 be dismissed without prejudice and that Mr. Cunningham be continued on his current term of supervision, is GRANTED.

IT IS FURTHER ORDERED that the Status Hearing set for Wednesday, August 7, 2024, at 10:00 am. is VACATED.

DATED August 6, 2024.


UNITED STATES DISTRICT JUDGE